

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 51-65 are pending in this application, Claims 35-50 having been canceled without prejudice or disclaimer; and Claims 51-65 having been added. Support for added Claims 51-65 can be found, for example, in the original claims, drawings and specification as originally filed. No new matter has been added.

In the outstanding Office Action, Claims 35, 36, 41-46, 49, and 50 were rejected under 35 U.S.C. § 103(a) as unpatentable over Wasilewski et al. (U.S. Patent No. 6,252,964; hereinafter “Wasilewski I”) in view of Wasilewski et al. (U.S. Patent No. 6,215,530; hereinafter “Wasilewski II”). Claims 37-40, 47, and 48 were indicated as allowable if rewritten in independent form. Applicants acknowledge with appreciation the indication of allowable subject matter.

In light of this indication, and in order to expedite the issuance of a patent from the present application, new Claim 51 is presented which contains features of former Claim 35, and Claim 39 which was indicated as allowable. Page 6 of the outstanding Office Action stated that “Claims 37-40 elaborate on the structure and function of the optional third data field, which is not disclosed or suggested by the prior art of record,” and thus Applicants respectfully submit that new Claim 51 is likewise patentable as Claim 51 includes these distinguishing features from Claim 39 which the Office Action acknowledges are not taught or suggested in the references.

Accordingly, Applicants respectfully submit that new independent Claim 39 (and all claims depending thereon) patentably distinguishes over the cited references.

In addition, new Claim 64 also includes features formerly of allowable Claim 39, and is believed to be patentable for at least the reasons discussed above. Thus, Applicants

respectfully submit that new independent Claim 64 (and all claims depending thereon) patentably distinguishes over the cited references. Accordingly, only claims including allowable subject matter remain pending, and no further issues are believed to be outstanding.

Consequently, in view of the present Amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance for Claims 51-65 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below-listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Philippe J.C. Signore, Ph.D.
Attorney of Record
Registration No. 43,922

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Derek P. Benke
Registration No. 56,944